

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MONADNOCK CONSTRUCTION, INC.,
Plaintiff,
-against-

WESTCHESTER FIRE INSURANCE
COMPANY,

Defendant.

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WESTCHESTER FIRE INSURANCE
COMPANY,

Third-Party Plaintiff,

-against-

GLASSWALL, LLC, UGO COLOMBO, and
SARA JAYNE KENNEDY COLOMBO,

Third-Party Defendants.

Case No.: 16 CIV 00420 (JBW)(VMS)
ECF Case

**NOTICE OF CROSS-MOTION
FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that upon the accompanying Declaration of Howard Kleinhendler, sworn to on February 28, 2018, together with the exhibits annexed thereto, the accompanying Memorandum of Law, and the accompanying Responses to Defendant's Statement of Undisputed Material Facts in Support of Defendant's Motion For Summary Judgment Pursuant to Local Rule 56.1 and Counterstatement of Material Facts in Support of Cross-Motion for Summary Judgment, and all of the prior pleadings and proceedings in this action, Plaintiff Monadnock Construction, Inc. ("Monadnock"), through its undersigned counsel, will move this Court, before the Honorable Jack B. Weinstein, United States District Judge, at the United States Courthouse, United States District Court, Eastern District of New York, 225 Cadman Plaza, East, Brooklyn, New York, on a date and time to be designated by the Court, for an Order pursuant to Federal Rule of Civil Procedure 56 granting Monadnock's Cross-Motion for Summary Judgment and denying defendant Westchester Fire Insurance Company's Motion for Summary Judgment.

Dated: New York, New York
February 28, 2018

Respectfully submitted,

WACHTEL MISSRY LLP

By: /s/ Howard Kleinhendler

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